

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05CV317

SHELTON LAMAR SAPP,

Plaintiff,

vs.

UNITED STATES OF AMERICA and
GRETCHEN C.F. SHAPPERT in her
capacity as United States Attorney,

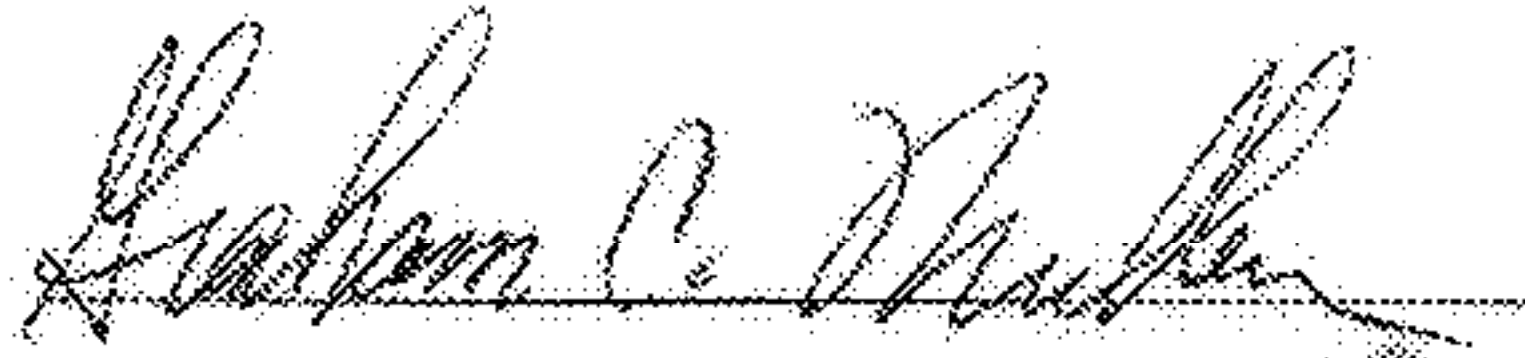
Defendants.

ORDER

This matter is before the court upon the Defendants' Motion to Dismiss pursuant to Rule 12(b)(6), and the Plaintiff's Motion to Amend. The Plaintiff has filed what purports to be a Complaint under 42 U.S.C. §1983. The court has reviewed the Complaint and finds that it fails to comply with Rule 8 of the Federal Rules of Civil Procedure and also clearly fails to state a claim upon which relief can be granted under Rule 12(b)(6). The Plaintiff moves to amend the Complaint in response to the Defendants' Motion to Dismiss but fails to state how he would amend the Complaint to bring it into compliance with the Federal Rules of Civil Procedure. Accordingly,

IT IS THEREFORE ORDERED that Plaintiff's Motion to Amend is hereby DENIED, and Defendants' Motion to Dismiss is hereby GRANTED. This case is dismissed without prejudice.

Signed: September 15, 2005

A handwritten signature in dark ink, appearing to read "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

